

**IN THE CLAIMS**

This listing of claims replaces all previous listings:

1. (Currently Amended) A non-aqueous electrolyte battery comprising:

an anode having an anode mixture containing an anode active material;

a cathode having a cathode mixture containing a cathode active material;

a separator between ~~[[said]]~~ the anode and ~~[[said]]~~ the cathode;

~~an a-solid~~ electrolyte including a polymer material and an electrolyte salt contained therein;

and

a film-shaped exterior material housing therein ~~said the anode, the cathode, the separator~~ battery device and the solid electrolyte,

wherein,

~~[[said]] the anode mixture includes a gas adsorbing carbon material formed of a carbonaceous material~~ including an electroconductive carbon black of very high purity having a specific surface area not less than 30 m<sup>2</sup>/g.

2. (Currently Amended) The non-aqueous electrolyte battery according to claim 1, wherein ~~the~~ [[said]] gas adsorbing carbon material ~~carbonaceous material further includes one or both of carbon black and an activated carbon.~~

3. (Currently Amended) The non-aqueous electrolyte battery according to claim 1, wherein ~~[[said]] the gas adsorbing carbon material, when added to [[said]] anode mixture is added in an amount not less than 0.1 wt% and not larger than 6 wt% of the total weight of the anode mixture.~~

4. (Currently Amended) The non-aqueous electrolyte battery according to claim 2, wherein, ~~activated carbon is added as said carbonaceous material to said cathode mixture~~ the activated carbon is, ~~said gas adsorbing carbon material is added in an amount not less than 0.2 wt% and not larger than 8 wt% of the total weight of the cathode-anode mixture.~~

5. (Currently Amended) The non-aqueous electrolyte battery according to claim 1 [[2]], wherein, ~~carbon black is added as said carbonaceous material to said cathode the mixture~~ carbon black is, ~~and said gas adsorbing carbon material is added in an amount not less than 0.2 wt% and not larger than 4 wt% of the total weight of the anode-cathode mixture.~~

6. (Currently Amended) The non-aqueous electrolyte battery according to claim 1, wherein the [[said]] film-shaped exterior material is a laminate film composed of at least one layer each of a metal layer and a resin layer.

7. (Currently Amended) The non-aqueous electrolyte battery according to claim 1, wherein [[said]] the ~~solid~~ electrolyte is a gel electrolyte including a non-aqueous solvent, contained in [[said]] the polymer material, in addition to the [[said]] electrolyte salt.

8. (Withdrawn) A non-aqueous electrolyte battery comprising  
a battery device including an anode having an anode mixture layer containing an anode active material on an anode current collector, said anode having an exposed anode current collector portion exposing said anode current collector, and a cathode including a cathode mixture layer containing a cathode active material on a cathode current collector, said cathode having an exposed cathode current collector portion exposing said cathode current collector, said anode and the cathode being layered together via a separator;

a solid electrolyte including an organic high molecular material and an electrolyte salt contained therein;

a gas adsorbing carbon layer containing a gas adsorbing carbon material formed of a carbonaceous material with specific surface not less than  $30 \text{ m}^2/\text{g}$ , for adsorbing a gas evolved within the battery; and

a film-shaped exterior material housing therein said battery device, said solid electrolyte and the gas adsorbing carbon layer;

said gas adsorbing carbon layer being provided to said exposed anode current collector portion and/or the exposed cathode current collector portion.

9. (Withdrawn) The non-aqueous electrolyte battery according to claim 8, wherein said gas adsorbing carbon layer contains a gas adsorbing carbon material composed of one or both of carbon black and activated carbon.

10. (Withdrawn) The non-aqueous electrolyte battery according to claim 8, wherein said film-shaped exterior material is a laminate film composed of at least one layer each of a metal layer and a resin layer.

11. (Withdrawn) The non-aqueous electrolyte battery according to claim 8, wherein said non-aqueous electrolyte is a gel electrolyte including a non-aqueous solvent, contained in said organic high polymer material, in addition to said electrolyte salt.

12. (Withdrawn) A non-aqueous electrolyte battery comprising  
a battery device including an anode having an anode mixture containing an anode active material, and a cathode having a cathode mixture containing a cathode active material, said anode and the cathode being layered together via a separator;

a solid electrolyte including an organic high molecular material and an electrolyte salt contained therein;

a gas adsorbing carbon layer containing a gas adsorbing carbon material composed of a carbonaceous material with a specific surface not less than  $30 \text{ m}^2/\text{g}$ , for adsorbing a gas evolved in the battery; and

a film-shaped exterior material housing therein said battery device, said non-aqueous electrolyte and the gas adsorbing carbon layer;

said gas adsorbing carbon layer being provided to an inner surface of said film-shaped exterior material facing said battery device.

13. (Withdrawn) The non-aqueous electrolyte battery according to claim 12, wherein said gas adsorbing carbon layer includes one or both of carbon black and activated carbon.

14. (Withdrawn) The non-aqueous electrolyte battery according to claim 12, wherein said film-shaped exterior material is a laminate film composed of at least one layer each of a metal layer and a resin layer.

15. (Withdrawn) The non-aqueous electrolyte battery according to claim 12, wherein said solid electrolyte is a gel electrolyte including a non-aqueous solvent, contained in said organic high polymer material, in addition to said electrolyte salt.

16. (Previously Presented) The non-aqueous electrolyte battery according to claim 1, wherein said specific surface area is not less than  $180 \text{ m}^2/\text{g}$ .

17. (Currently Amended) The non-aqueous electrolyte battery according to claim 1, wherein the ~~[[said]]~~ solid electrolyte includes an organic high molecular weight material that is poly(vinylidene) fluoride or poly(vinylidene) fluoride-co-hexafluoropropylene.

18. (Previously Presented) The non-aqueous electrolyte battery according to claim 1, wherein, the electrolyte salt includes  $\text{LiPF}_6$  or  $\text{LiBF}_4$ .

19. (Currently Amended) The non-aqueous electrolyte battery according to claim 7 ~~[[1]]~~, wherein the non-aqueous solvent contains ~~carbonate or ethylene carbonate~~.

20. (Currently Amended) The non-aqueous electrolyte battery according to claim 1, wherein ~~the~~ [[said]] carbonaceous material is admixed to the anode mixture layer ~~and/or the cathode mixture layer, and said carbonaceous material and is effective to adsorb gas~~.

21. (Currently Amended) The non-aqueous electrolyte battery according to claim 1, wherein ~~[[said]]~~ the ~~solid~~ electrolyte includes an organic high molecular weight material.